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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:11-CR-398-JCM-(GWF)
	)	
JAMES WILLIAM BEERS,	)	
	)	
Defendant.	)	

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 12, 2012, defendant JAMES WILLIAM BEERS, pled guilty to Count Three of a Four-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Criminal Indictment, ECF No. 1.

This Court finds defendant JAMES WILLIAM BEERS agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars and the Plea Memorandum. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 20.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars, and agreed to in the Plea Memorandum, and the offense to which defendant JAMES WILLIAM BEERS pled guilty. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 20.

The following assets are subject to forfeiture pursuant to Title 18, United States, Code, Section 2253(a)(1) and (a)(3):

1 a) Dell Dimension 3100 Desktop Computer, Serial Number 58HD0B1; and  
2 b) All visual depictions described in Title 18, United States Code, Section 2251,  
3 2251A, 2252, and 2252A and all items containing such visual depictions, which were  
4 transported, shipped and received in violation of Title 18, United States Code, Section  
5 2252A and all property, real and personal, used and intended to be used to commit  
6 and promote the commission of the aforestated offense, including but not limited to,  
7 the following properties: computer images, including movie files, depicting a minor  
8 engaging in sexually explicit conduct and the diskettes and hard drives on which they  
9 are maintained.

10 All pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3).

11 This Court finds the United States of America is now entitled to, and should, reduce the  
12 aforementioned property to the possession of the United States of America.

13 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
14 United States of America should seize the aforementioned property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
16 JAMES WILLIAM BEERS in the aforementioned property is forfeited and is vested in the United  
17 States of America and shall be safely held by the United States of America until further order of the  
18 Court.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
20 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
21 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
22 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
23 the name and contact information for the government attorney to be served with the petition,  
24 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

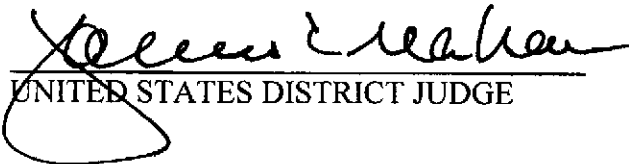
25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
26 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
3 following address at the time of filing:

4 MICHAEL A. HUMPHREYS  
5 Assistant United States Attorney  
6 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
8 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
9 following publication of notice of seizure and intent to administratively forfeit the above-described  
10 property.

11 DATED this 12<sup>th</sup> day of Dec., 2012.

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15 UNITED STATES DISTRICT JUDGE  
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